

thorize appropriations for such corporation for the fiscal year ending September 30, 1984.

### BROADCAST REGULATION REFORM

*Committee on Energy and Commerce:* Subcommittee on Telecommunications, Consumer Protection, and Finance held a hearing on Broadcast Regulation Reform. Testimony was heard from public witnesses.

### IRS TAX DEDUCTIONS FOR THE ARTS

*Committee on Government Operations:* Subcommittee on Government Activities and Transportation held a hearing on Revision of IRS Tax Deductions for the Arts. Testimony was heard from Roscoe L. Egger, Jr., Commissioner, IRS, Department of the Treasury; Phillip Samuel Hughes, Under Secretary, Smithsonian Institution; and public witnesses.

### INDIAN LEGISLATION

*Committee on Interior and Insular Affairs:* Held a hearing on the following bills: H.R. 3111, to declare that the United States holds certain lands in trust for the Kaw Tribe of Oklahoma, and H.R. 3376, to declare that the United States holds certain lands in trust for the Makah Indian Tribe, Washington. Testimony was heard from John Fritz, Deputy Assistant Secretary for Indian Affairs, Department of the Interior; and public witnesses.

### NATIONAL STRATEGIC MATERIALS AND MINERALS ASSESSMENT ACT

*Committee on Interior and Insular Affairs:* Subcommittee on Mining, Forest Management and Bonneville Administration approved for full Committee as amended H.R. 646, National Strategic Materials and Minerals Assessment Act of 1983.

### DRUG LEGISLATION

*Committee on the Judiciary:* Subcommittee on Crime held a hearing on the following bills: H.R. 3326, National Narcotics Act of 1983, and H.R. 3664, to amend the Drug Abuse Prevention, Treatment, and Rehabilitation Act to revise the authority of the Office of Drug Abuse Policy, to establish a Deputy Director for Drug Abuse Prevention and a Deputy Director for Drug Enforcement in the Office. Testimony was heard from Adm. James S. Gracey, Commandant, U.S. Coast Guard, Department of Transportation; D. Lowell Jensen, Associate Attorney General, Department of Justice; Robert E. Powis, Deputy Assistant Secretary of the Treasury (Enforcement), Department of the Treasury, and Jerry L. Calhoun, Principal Deputy Assistant Secretary of Defense for Manpower, Reserve Affairs and Logistics, Department of Defense.

### NOAA ORGANIC ACT

*Committee on Merchant Marine and Fisheries:* Subcommittee on Oceanography held a hearing on H.R. 3381, National Oceanic and Atmospheric Administration Organic Act. Testimony was heard from public witnesses.

### FEDERAL EMPLOYEES HEALTH BENEFITS REFORM ACT

*Committee on Post Office and Civil Service:* Subcommittee on Compensation and Employee Benefits hearings on H.R. 656, Federal Employees' Health Benefits Reform Act of 1983. Testimony was heard from public witnesses.

## Joint Meeting

### AUTHORIZATIONS—DEFENSE

*Conferees* continued in closed evening session to resolve the difference between the Senate- and House-passed versions of S. 675, authorizing funds for fiscal year 1984 for the Department of Defense.

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*Monday, September 12, 1983*

## Senate

### Chamber Action

*Routine Proceedings, pages 23502-23621*

**Measures Introduced:** Four bills and seven resolutions were introduced, as follows: S. 1828-1831, S.J. Res. 158-160, and S. Res. 209-212. Page 23548

**Measures Reported:** Reports were made as follows:  
Filed August 15, 1983, during adjournment of the Senate:

Conference Report on S. 675, authorizing funds for fiscal year 1984 for the Department of Defense. (S. Rept. No. 98-213)

Filed September 1, 1983:

Report to accompany S. 1001, authorizing appropriations for the Office of Federal Procurement Policy for an additional five fiscal years. (S. Rept. No. 98-214)

S. 1714, to amend the Federal Trade Commission Act to provide authorization of appropriations, with an amendment in the nature of a substitute. (S. Rept. No. 98-215)

S. 1267, transferring from the Director of the Office of Management and Budget to the Administrator of General Services the responsibility for publication of the catalog of Federal domestic assistance

programs, and for other purposes, with amendments. (S. Res. No. 98-216)

S. Res. 208, waiving section 402(a) of the Congressional Budget Act of 1974, with respect to the consideration of S. 1267, listed above. Referred to the Committee on the Budget.

Report to accompany S. 1625, amending the District of Columbia Retirement Reform Act. (S. Rept. No. 98-217)

Report to accompany S. 1009, authorizing Federal physicians comparability allowances. (S. Rept. No. 98-218)

Report to accompany S. 1513, to extend for five years the authorization of appropriations for the National Historical Publications and Records Commission. (S. Rept. No. 98-219)

Filed today:

S. 53, to amend the Omnibus Crime Control and Safe Streets Act of 1968, with an amendment. (S. Rept. No. 98-220)

S. 774, the "Freedom of Information Reform Act," with amendments. (S. Rept. No. 98-221)

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#### Measures Passed:

**Senator Henry M. Jackson:** Senate agreed to S. Res. 209, expressing the profound sorrow of the Senate on the recent announcement of the death of Senator Henry M. Jackson, of Washington. Page 23502

**Authorizing Certain Expenditures:** Senate agreed to S. Res. 210, authorizing the payment from the contingency fund of the Senate of expenses of the committee attending the funeral of the late Senator Henry M. Jackson, of Washington. Page 23508

**Election of Larry E. Smith as Sergeant at Arms:** Senate agreed to S. Res. 211, relative to the election of Larry E. Smith as Sergeant at Arms and Doorkeeper of the Senate. Page 23516

**Representative Lawrence P. McDonald:** Senate agreed to S. Res. 212, expressing the profound sorrow of the Senate on the recent announcement of the death of Representative Lawrence P. McDonald, of Georgia. Page 23561

**Radio Broadcasting to Cuba:** Senate continued consideration of a motion to proceed to consider S. 602, to provide Federal funding for radio broadcasting to Cuba, which is under cloture. Page 23528

**Swearing in of Senator Evans:** Senator Daniel J. Evans, of Washington, was sworn in to fill the unexpired term until the vacancy in the term, ending January 3, 1989, caused by the death of Senator Henry M. Jackson, is filled by election as provided by law. Page 23516

**Appointment of the Vice President:** The Chair, on behalf of the Vice President, appointed Senator Sasser as a member of the Board of Regents of the

Smithsonian Institution, effective September 12, 1983. Page 23540

**Appointment of the President Pro Tempore:** The Chair, on behalf of the President pro tempore, appointed Senator Nunn to the Select Committee on Intelligence. Page 23540

**Messages From the President:** Senate received the following Messages from the President, during the adjournment of the Senate:

(1) Received August 18, 1983:

Reporting a new deferral of budget authority for the Railroad Retirement Board. Referred jointly to the Committees on Appropriations, Budget, and Labor and Human Resources. (PM-72)

(2) Received August 23, 1983:

Returning without approval S.J. Res. 149, temporarily suspending the authority of the Secretary of Agriculture, under the milk price support program, to impose a second 50 cents per hundredweight deduction from the proceeds of sale of all milk marketed commercially in the United States. (PM-73)

(3) Received August 31, 1983:

Submitting an Alternative Plan for a 3.5 percent increase in Federal white collar pay effective in January, 1984, in lieu of the 21.51 percent increase indicated under current comparability calculation methods. Referred to the Committee on Governmental Affairs. (PM-74)

(4) Received September 1, 1983:

Reporting on Agencies excluded from the Federal Merit Pay System. Referred to the Committee on Governmental Affairs. (PM-75)

(5) Received September 8, 1983:

Transmitting the third annual report on activities undertaken by the U.S. Synthetic Fuels Corporation and the Department of Energy to implement the development of synthetic fuels under the Defense Production Act of 1950, as amended, covering the period from July 1, 1982, through June 30, 1983. Referred to the Committee on Energy and Natural Resources. (PM-76)

Received today:

Transmitting a legislative proposal entitled the "National Productivity and Innovation Act of 1983," modifying the Federal antitrust and intellectual property laws in ways that will enhance productivity and the competitiveness of U.S. industries in international markets. Referred to the Committee on the Judiciary. (PM-77) Page 23540

**Nominations Received:** Senate received the following nominations during the adjournment of the Senate:

Received August 15, 1983:

Matthew V. Scocozza, of Tennessee, to be an Assistant Secretary of Transportation.



Rear Admiral John B. Mooney, Jr., to be Chief of Naval Research.

Routine lists of Army, Navy, Air Force, and Marine Corps. nominations.

Received August 18, 1983:

Donald C. Leidel, of the District of Columbia, to be Ambassador to the State of Bahrain.

John C. McGraw, of Pennsylvania, to be Assayer of the Mint of the United States, at Philadelphia, Pennsylvania.

Gwyneth Gayman, of California, to be a Member of the National Council on Educational Research.

Robert O. Harris, of the District of Columbia, to be a Member of the National Mediation Board.

24 Army nominations in the rank of general.

2 Coast Guard nominations in the rank of Admiral.

Routine list of Navy nominations.

Received August 22, 1983:

Alan L. Keyes, of California, to be the Representative on the Economic and Social Council of the United Nations, with the rank of Ambassador.

George E. Moose, of Maryland, to be Ambassador to the People's Republic of Benin.

Philip Abrams, of Massachusetts, to be Under Secretary of Housing and Urban Development.

Brig. General Jerome B. Hilmes, U.S. Army, to be a member of the Mississippi River Commission.

Received August 31, 1983:

George R. Andrews, of Maryland, to be Ambassador to Mauritius.

Richard H. Francis, of Virginia, to be President of the Solar Energy and Energy Conservation Bank.

Barbara E. McConnell, of the District of Columbia, to be a Member of the Civil Aeronautics Board for term expiring December 31, 1983, and reappointment for term expiring December 31, 1989.

Saundra B. Armstrong, of California, to be a Commissioner of the Consumer Product Safety Commission.

2 Army nominations in the rank of general.

1 Air Force nomination in the rank of general.

Routine lists of Army, Navy, Air Force, and Marine Corps nominations.

Received September 7, 1983:

Henry F. Cooper, Jr., of Virginia, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

James B. Roche III, to be United States Marshal for the District of Massachusetts.

Thomas C. Rapone, to be United States Marshal for the Eastern District of Pennsylvania.

Received September 8, 1983:

Clayton E. McManaway, Jr., of the District of Columbia, to be Ambassador to Haiti.

Ben J. Wattenberg, of the District of Columbia, to be a Member of the Board for International Broadcasting.

Frank Shakespeare, of Connecticut, to be a Member of the Board for International Broadcasting.

Received September 9, 1983:

Edmund DeJarnette, of Virginia, to be Ambassador to the Central African Republic.

Peter J. deVos, of Florida, to be Ambassador to the People's Republic of Mozambique.

Robert H. Miller, of Washington, to be Ambassador to the Republic of the Ivory Coast.

Charles F. Dunbar, of Maine, to be the Ambassador to the State of Qatar.

Millicent Fenwick, of New Jersey, for the rank of Ambassador during the tenure of service as U.S. Representative to the Food and Agriculture Organizations in Rome.

Danny J. Boggs, of Virginia, to be Deputy Secretary of Energy.

Richard L. McElheny, of Arizona, to be an Assistant Secretary of Commerce.

William P. Pendley, of Wyoming, to be an Assistant Secretary of the Interior.

Joan M. Gubbins, of Indiana, and David J. Armors, of California, each to be a Member of the National Council on Educational Research.

Chester A. Crocker, of the District of Columbia, Francis S. Ruddy, Patsy B. Blackshear, of Maryland, Charles G. Wells, of Illinois, and William F. Pickard, of Michigan, each to be a Member of the Board of Directors of the African Development Foundation.

Joseph L. Kirkland, of the District of Columbia, Arch L. Madsen, of Utah, James A. Michener, of Pennsylvania, Clair W. Burgener, of California, Michael Novak, of the District of Columbia, and Malcolm Forbes, Jr., of New Jersey, each to be a Member of the Board for International Broadcasting.

Morris B. Abram, of New York, John H. Bunzel, of California, and Robert A. Destro, of Wisconsin, each to be a Member of the Commission on Civil Rights.

Albert L. Smith, Jr., of Alabama, to be a Member of the Federal Council on the Aging.

Paul H. Lamboley, of Nevada, and Jame E. M. Holt, of the District of Columbia, each to be a Member of the Interstate Commerce Commission.

MacDonald G. Becket, of California, and Kyle C. Boone, of North Carolina, each to be a Member of the Board of Directors of the National Institute of Building Sciences.

Helen M. Witt, of Pennsylvania, to be a Member of the National Mediation Board.

Elliot R. Buckley, of Virginia, to be a Member of the Occupational Safety and Health Review Commission.

Henry F. Schickling, of Pennsylvania, to be a Member of the Board of Directors of the Overseas Private Investment Corporation.

Charles C. Cox, of Texas, to be a Member of the Securities and Exchange Commission.

Susan W. Liebler, of California, to be a Member of the United States International Trade Commission.

Martin L. C. Feldman, to be U.S. District Judge for the Eastern District of Louisiana.

C. Roger Vinson, to be U.S. District Judge for the Northern District of Florida.

Francis M. Mullen, Jr., of Virginia, to be Administrator of Drug Enforcement.

Received today:

Jack E. Ravan, of Georgia, to be an Assistant Administrator of the Environmental Protection Agency.

Daniel A. O'Donohue, of Virginia, to be Ambassador to the Socialist Republic of the Union of Burma.

Susan E. Phillips, of Virginia, to be Director of the Institute for Museum Services.

60 Army nominations in the rank of general.

Routine lists of Air Force and Coast Guard nominations. Page 23561

Messages From the President: Page 23541

Messages From the House: Page 23544

Measures Referred: Page 23544

Communications: Page 23544

Statements on Introduced Bills: Page 23548

Notices of Hearings: Page 23555

Additional Statements: Page 23555

Nominations Received: Page 23561

**Recess:** Senate convened at 12 noon, and as a further mark of respect to the memory of the Honorable Henry M. Jackson, of Washington, and the Honorable Lawrence P. McDonald, of Georgia, in accordance with S. Res. 209, and S. Res. 212, recessed at 5:22 p.m., until 10 a.m., on Tuesday, September 13, 1983. (For Senate's program, see remarks of Senator Baker in today's Record on page 23561.)

## Committee Meetings

No committee meetings were held.

## House of Representatives

### Chamber Action

**Bills Introduced:** 9 public bills, H.R. 3856-3864; and 8 resolutions, H.J. Res. 348-352, H. Con. Res. 160, and H. Res. 306 and 307 were introduced. Page 23737

**Bills Reported:** Reports were filed as follows:

H.R. 555, to amend the Federal Power Act to limit the recovery by public utilities of certain costs of construction work in progress through rate increases, amended (H. Rept. 98-350);

H.R. 3244, to amend the Energy Policy and Conservation Act to eliminate preemption of a State's authority to establish or enforce any energy efficiency standard or similar requirement if a Federal energy efficiency standard has not been established (H. Rept. 98-351, foregoing reports filed on August 9); and

Conference report on S. 675, Department of Defense Authorization Act for fiscal year 1984 (H. Rept. 98-352). Page 23737

**Member Sworn:** Representative-elect Hayes of Illinois presented himself in the well of the House and was administered the oath of office by the Speaker. Page 23622

**Presidential Messages:** Read the following messages from the President.

*Chicago education funds veto:* Message wherein he announces veto of H.J. Res. 338, to correct Public Law 98-63 due to an error in the enrollment of H.R. 3069, and explains his reasons therefor—ordered printed (H. Doc. 98-94). Further consideration of the veto message was postponed until Wednesday, September 21; Page 23701

*Feed grain program announcements veto:* Message wherein he announces his veto of H.R. 3564, to require the Secretary of Agriculture to make an earlier announcement of the 1984 feed grain program and of the 1985 crop wheat and feed grain programs, and explains his reasons therefor—ordered printed (H. Doc. 98-95). Further consideration of the veto message was postponed until Tuesday, September 20; Page 23701

*Budget deferral:* Message wherein he reports a new deferral of budget authority for the Railroad Retirement Board totaling \$165,000—referred to the Committee on Appropriations and ordered printed (H. Doc. 98-96); Page 23702

*Federal pay:* Message transmitting his alternative plan for Federal pay adjustments—referred to the Committee on Post Office and Civil Service and ordered printed (H. Doc. 98-97); Page 23702

*Merit pay system:* Message transmitting his report on agencies and units of agencies excluded from the



Federal Pay System—referred to the Committee on Post Office and Civil Service and ordered printed (H. Doc. 98-98); and  
**Page 23702**

Synfuels: Message transmitting the third annual report on activities undertaken by the United States Synthetic Fuels Corporation and the Department of Energy to implement the development of synthetic fuels—referred to the Committee on Banking, Finance and Urban Affairs and the Committee on Energy and Commerce.  
**Page 23702**

**Contempt Certification:** The Speaker announced that, pursuant to the provisions of H. Res. 180, on August 4, 1983, he made certification to the United States District Attorney for the District of Columbia reciting the additional facts pertinent to the contempt citation of Anne M. (Gorsuch) Burford.  
**Page 23702**

**Subcommittee To Sit:** Subcommittee on Intergovernmental Relations and Human Resources of the Committee on Government Operations received permission to sit during proceedings of the House on Tuesday, September 13 and Wednesday, September 14.  
**Page 23703**

**Condolence Resolution:** House agreed to H. Res. 306, expressing the condolences of the House on the death of the late Senator Henry M. Jackson.

Subsequently, it was announced that on September 6, 1983, the Speaker appointed the following Members to attend the funeral of the late Senator Jackson: Representatives Foley, Pritchard, Bonker, Dicks, Lowry of Washington, Swift, Morrison of Washington, and Chandler.  
**Page 23705**

**Rehabilitation Act Amendments:** House completed all general debate on H.R. 3520, to extend and

improve the Rehabilitation Act of 1973, to provide for the operation of the Helen Keller National Center for Deaf-Blind Youths and Adults, to create a select commission on Federal assistance to disabled Americans, and to increase certain authorizations of appropriations for programs within the jurisdiction of the Committee on Education and Labor; but came to no resolution thereon. Proceedings under the 5-minute rule are scheduled to begin on Tuesday, September 13.  
**Page 23708**

**Trade Adjustment Assistance:** House completed all general debate on H.R. 3391, to improve worker training under the Trade Act of 1974; but came to no resolution thereon. Proceedings under the 5-minute rule are scheduled to begin on Wednesday, September 14.  
**Page 23723**

**Condolence Resolution:** House agreed to H. Res. 307, expressing the condolences of the House on the death of the late Representative Larry McDonald.  
**Page 23728**

**Quorum Calls—Votes:** No quorum calls or votes developed during the proceedings of the House today.

**Adjournment:** Met at noon and adjourned at 3:15 p.m.

## *Committee Meeting*

### **WESTWAY INTERSTATE HIGHWAY**

*Committee on Government Operations:* Subcommittee on Intergovernmental Relations and Human Resources met to receive subpoenaed materials in connection with the Subcommittee's investigation of the Westway Interstate Highway.